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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/670,562	09/27/2000	Thomas G. Woolston	13466-002005	7517

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EXAMINER	
SHEIKH, ASFAND M	

ART UNIT	PAPER NUMBER
3627	

MAIL DATE	DELIVERY MODE
02/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/670,562	WOOLSTON, THOMAS G.	
	Examiner	Art Unit	
	Asfand M. Sheikh	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21 and 22* is/are pending in the application.

4a) Of the above claim(s) *11-20 and 23-34* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/26/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Acknowledgements

Please note that the examiner, examining the instant application has changed. The new examiner is Asfand M. Sheikh; the group art unit has not changed.

The amendment filed 08/08/2006 has been entered. Claims 1-10 are cancelled, Claims 11-20 and 23-24 are withdrawn, and Claims 21 and 22 are pending for examination.

Response to Arguments

Applicant's arguments see Applicant's Remarks, filed 08/08/2006 with respect to the rejection(s) of claim(s) 21 and 22 under U.S.C. § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lindsey et al. in view of Nahan et al. and Chadima Jr. et al.

Further the examiner acknowledges the 37 CFR 1.105 request for further information and notes the provided documents are noted in the instant application history.

The examiner notes the interview summaries on 01/17/2007 and 08/23/2007 discussing the 37 CFR 1.105 request and Restriction/Election. The examiner notes as per the 01/17/2007 the applicants will be admitted to switch the instant applications system to method pending and RCE.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsey et al. in view of Nahan et al., Payne et al. and Chadima Jr. et al.

Lindsey et al. discloses a computer system executing a computer application program operative to authorizing a plurality of remote seller participants (gin seller) to post, using a computer application program executing on a computer system associated with the plurality of remote seller participants, a plurality of items (cotton bales) for auction at a remote auction system. Lindsey et al. further disclose the computer application program retrieving information about a structure of the remote auction system from a data repository while the

computer application program is isolated from communication with the remote topical arragned internet based auction system (cotton gin application program allows for data as set forth gin name, address code see col. 5 lines 55-60); a database stored in the computer system having a structure corresponding to the structure of the remote auction system including a selection of categories and sub-categories for the arrangement of multiple auction instances by the plurality of seller participants (data base 25); the user interface program operative to provide one or more data input fields to receive from the plurality of remote participant sellers a title and a subjective textual description for the plurality of items (cotton gin application program allows for data as set forth gin name, address code see col. 5 lines 55-60); the computer system generating a data header that contains a user identification code corresponding to the plurality of remote participant sellers for the data record created for the plurality of items (see table col. 7,8 of Lindsey et al.). Lindsey et al. further disclose a table (see cols. 7 et seq.) which the host computer system presents as formatted information to a plurality of bidding internet participants (commodity buyer terminals 18), and receiving at least one bid for the plurality of items from at least one of

the plurality of bidding internet participants (see col. 28 lines 48-52).

However, Lindsey et al. fails to disclose the computer application program further including a user interface program operative to provide to the plurality of seller participants the selection of categories and sub-categories for inputting data to build a data record of the plurality of items that will be subsequently posted into the remote topical arranged internet-based auction system, the selection of the categories and sub-categories based at least in part from the information about the structure of the remote topical arranged auction system retrieved from the data repository to assure proper linkage into the structure maintained by the remote topical arranged internet-based auction system when the computer application program subsequently communicates the data record of the items to create the automated ascending bid auction instances for the plurality of items at the remote topical arranged internet-based auction system; and a communication handler program executing on a host computer system housing the remote topical arranged internet-based auction system receiving information from the computer application program executing on the computer system about the plurality of items to be auctioned, the received

information comprising the selection of categories and sub-categories, the title and the subjective textual description of the plurality of items, and the data header.

But Nahan et al. does disclose the feature of the use of the high-speed networks to conduct transactions (see col. 2 lines 38-45) and the feature of categorically organizing listings arranged from data derived from categories inputted and linking the two by the categories prescribed therein (the portfolio is categorically organizing listings based on a main category and subcategories see col. 4 lines 7-13 and col. 7 line 55-col. 9 line 60). It would be obvious to modify Lindsey et al. to include this feature of Nahan et al. and to use Lindsey et al. on an internet based system, the motivation being the introduction of different items for sale and the ease of finding different items by category.

Lindsey et al. further fails to disclose the use of authentication information to logon to an open network on order conduct transactions.

But, Payne et al. discloses the use of authentication information to logon to an open network on order conduct transactions (see col. 5 lines 26-47 and col. 6 lines 43-59). It would be obvious to modify Lindsey et al. to include this feature of Payne et al. and to use Lindsey et al. on an internet based system, the motivation being the introduction of a network-based system that provides a level of security for the identification of correct individuals.

Lindsey et al. further fails to disclose the asynchronous generation and scheduling of automated ascending bid auction instances whereby remote seller participants are authorized to operate a computer application program to coordinate asynchronous generation and scheduling of automated ascending bid auction instances in the remote arranged internet-based auction system while the computer application program is isolated from communication with the remote topical arranged internet- based auction system does he disclose the handler program further processing the received information at the host computer system housing the remote internet based- auction system into a presentation format comprising scheduling information received from the seller participant operating the computer application program to (a)

post the data record in the remote topical arranged internet-based auction system to initiate the automated ascending bid auction instances at the remote
arranged internet- based computer system, (b) designate a time at which the computer application program will contact the remote topical arranged internet-based auction system to post at least one data record to initiate the automated ascending bid auction instance for the at least one data record at the remote topical arranged internet-based auction system, or (c) post the data record in the remote topical arranged internet-based auction system designating the plurality of items as on-hold awaiting the automate descending bid auction instance start date at the remote topical arranged internet-based auction system.

But, Chadima Jr. et al. does disclose the asynchronous generation and scheduling of automated ascending bid auction instances in that remote seller participants (1-5) are authorized to operate a computer application program to coordinate asynchronous generation and scheduling of automated ascending bid auction instances (see col. 10 for scheduling of bids) in the remote topical arranged internet-based auction system. Lindsey et al. does disclose processing received information at into a presentation format (see table cols 7-18).

It would be obvious to modify Lindsey et al. to include a time table of the time at which an item would be put up for bid, the motivation being the ability to plan to purchase to get financing, etc. in line before purchasing.

Re claim 22: the placing the bales into market in Lindsey et al. is deemed to be the manual start once the produce is listed in the database 25.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asfand M. Sheikh whose telephone number is (571)272-1466. The examiner can normally be reached on M-F 8a-4:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan M. Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627

Asfand M Sheikh
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January 31, 2008